



Docket No.: 251241US2



COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/812,887

Applicants: Katsufumi EHATA

Filing Date: March 31, 2004

For: METHOD AND APPARATUS FOR MEASURING
COMPLEX DIELECTRIC CONSTANT OF
DIELECTRIC

Group Art Unit: 2858

Examiner: NATALINI, JEFF WILLIAM

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Our check in the amount of **\$0.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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DOCKET NO: 251241US2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
KATSUFUMI EHATA : EXAMINER: NATALINI, JEFF W.
SERIAL NO: 10/812,887 :
FILED: MARCH 31, 2004 : GROUP ART UNIT: 2858
FOR: METHOD AND APPARATUS FOR :
MEASURING COMPLEX DIELECTRIC
CONSTANT OF DIELECTRIC

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Election of Species Requirement dated June 17, 2005, Applicant provisionally elects with traverse the species of Figure 4, and identifies Claims 1-4, 11-15, 24-33, 37-38, and 40 as readable on the elected species.

Applicant respectfully traverses the election requirement because, as set forth in MPEP § 803, “If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.”

The claims of the species of Figures 4, 5, and 8 appear to be part of an overlapping search area. Therefore, Applicant traverses the outstanding Election of Species Requirement on the grounds that a search and examination of the entire application would not place a serious burden on the Examiner.

Accordingly, it is respectfully requested that the requirement to elect a single species be withdrawn, and that a full examination on the merits of Claims 1-41 be conducted.

Respectfully submitted,

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